

EXHIBIT 146

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

DECLARATION OF THE MASSACHUSETTS STATE UNIVERSITY PRESIDENTS

We, the undersigned Presidents of the nine Massachusetts state universities, declare as follows:

1. We have personal knowledge of the information set forth below. With respect to matters for which we do not have personal knowledge, we have worked with state university personnel to gather and review the information.
2. The nine state universities, along with the five campuses of the University of Massachusetts and fifteen community colleges, comprise the 29 institutions of the Massachusetts Public Higher Education system. Mass. Gen. Laws Chapter 15A, § 5.
3. While the universities were founded nearly 200 years ago as normal schools, we now educate over 70,000 students annually in undergraduate and graduate programs in hundreds of disciplines, ranging from teaching and health care to the physical and life sciences, and from marine engineering and industrial design to information technology and game design. We also have three specialized colleges: Massachusetts College of Liberal Arts, Massachusetts Maritime Academy and Massachusetts College of Art and Design, the only freestanding public art school in the country.
4. With an average annual tuition and fees of just over \$9,000, the state universities offer their students the most affordable four year undergraduate education in the Commonwealth and provide high quality, affordable pathways to scores of graduate programs.
5. We believe that all persons, particularly those who face socioeconomic barriers to opportunity and advancement, have the ability to contribute to the economic, social and civic life of their communities. Accordingly, the state universities have long welcomed students regardless of their race, national origin, citizenship or immigration status.
6. To that end, the universities have embraced students enrolled pursuant to the Deferred Action for Childhood Arrivals (“DACA”) program. We do not believe that one’s country of

origin, citizenship or immigration status need be a barrier to success. To the contrary, we strive to provide affordable pathways to undergraduate and advanced degrees to anyone who wishes to obtain them.

7. In Massachusetts, DACA-enrolled students are eligible for in-state tuition and fees. DACA-enrolled and undocumented students are not eligible, however, for other state, federal, or institutional financial aid that is need-based. Accordingly, the DACA program has afforded a financial opportunity, in the form of in-state tuition and fees, to these students without which they may not be able to enjoy the full advantages of a state university education.

8. In our experience, DACA-enrolled and undocumented students have to work to be able to afford their education, despite their academic strengths. In addition to obtaining work, they often must support family members. The DACA program has helped to ease this financial burden not only in terms of the in-state tuition rate, but also by providing work authorization which is necessary for these students to work, including higher-paying academic internships and placements. By providing this financial relief, and by protecting the students from deportation for a defined period of time, our DACA-enrollees experience less stress and anxiety, and are able to focus their attention on their academic work and bettering their chances at obtaining their future goals.

9. While the universities do not collect or maintain information on students with DACA status, we know that numerous DACA students are enrolled within our nine-campus system.

10. The Attorney General's September 5th announcement of the President's intention to end the DACA program has caused visible stress, anxiety, anger and fear among our students, parents, siblings and the administrators who support them. Since those actions, students have not only raised concerns about themselves, but also their parents and family members. Some students

have expressed significant concern that just by identifying themselves as DACA-enrollees to the universities, the students have exposed their parents to the risk of arrest or deportation.


11. In fact, in preparation of this Declaration, our own university administrators have been unwilling to discuss - even when in compliance with state and federal privacy laws - the issues faced by DACA-enrolled students for fear that anything they say may expose the students to the possibility of deportation.


12. The students, faculty and staff of the state university community will suffer if the DACA program is eliminated. Some members of this community will be deported, causing them to leave the only home that some of them have known and to suspend – if not conclude - their academic pursuits. Members of this community will lose their ability to work, and, consequently, their ability not only to pay for their education, but to feed and house their families.


13. Moreover, the loss of our DACA-enrollees will undermine the universities' commitment to providing an affordable higher education to all who seek it, regardless of race, national origin, citizenship or immigration status. Diversity is one of our core values; we strive to provide learning and working environments in which the ideas, values, perspectives, and contributions of all students and employees are respected. When we lose the perspectives of any distinct group, our community deteriorates.

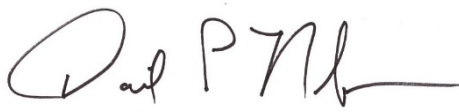
14. On September 5, 2017, only moments after the Attorney General's announcement, our Executive Officer, on our behalf, wrote to the leadership of the Massachusetts legislature to implore them to act immediately to pass legislation that would permit the 29 public institutions of higher education to continue to offer in-state tuition to those undocumented students who have qualified under DACA, regardless of any change to or elimination of the program by the federal government. We are committed to our DACA students, and we are fighting to keep them enrolled.


**SIGNED UNDER THE PAINS AND PENALITIES OF PERJURY THIS 22nd DAY OF
SEPTEMBER, 2017,**

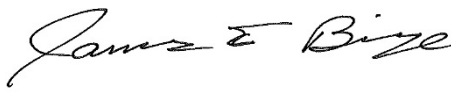
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Frederick W. Clark
President
Bridgewater State University

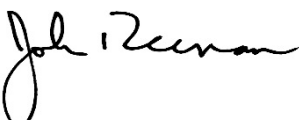
By: 
Richard Lapidus
President
Fitchburg State University

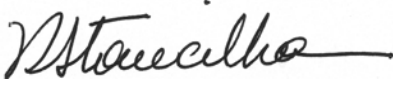
By: 
F. Javier Cevallos
President
Framingham State University

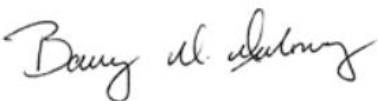
By: 
David P. Nelson
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Massachusetts College of Art and
Design

By: 
Francis McDonald
President
Massachusetts Maritime
Academy

By: 
James Birge
President
Massachusetts College of
Liberal Arts

By: 
John Keenan
President
Salem State University

By: 
Ramon S. Torrecilha
President
Westfield State University

By: 
Barry Maloney
President
Worcester State University